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Chair: Mr. Saikal ..... (Afghanistan)

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The meeting was called to order at 10.05 a.m.

Agenda item 74: Promotion and protection of human rights (*continued*)

(a) Implementation of human rights instruments (*continued*) (A/73/40, A/73/44, A/73/48, A/73/56, A/73/140, A/73/207, A/73/264, A/73/281, A/73/282 and A/73/309)

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(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/73/299, A/73/308, A/73/330, A/73/332, A/73/363, A/73/380, A/73/386, A/73/397, A/73/398 and A/73/404)

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (*continued*) (A/73/36 and A/73/399)

1. **Ms. Janina** (Chair of the Committee on Enforced Disappearances), introducing the report of the Committee on Enforced Disappearances (A/73/56), which covered its thirteenth and fourteenth sessions, said that the main challenge for consolidating the mandate of the Committee lay in progressing towards the universal ratification of the International Convention for the Protection of All Persons from Enforced Disappearance. The Committee looked forward to welcoming the States that had, during the universal periodic review, indicated their intention to do so.

2. Enforced disappearance was a heinous and unjustifiable crime that should have no place in modern society. Nevertheless, while no State admitted such acts, the growing number of urgent action requests received by the Committee on Enforced Disappearances showed that the phenomenon persisted. It was only by joining forces that it could be eliminated. Following periodic analyses of trends reflected by such requests and an analytical study initiated by the Committee on the main tendencies and conclusions revealed by its urgent action procedure, it was encouraging to note that, in some cases, cooperation by States had led to the alleged victim being located. The Committee was therefore eager to make full use of all key tools available to assist Member States in the effective implementation of the Convention. To date, however, only 22 of the 59 States parties had accepted the competence of the Committee to receive individual communications under article 31 of the Convention, which impeded its ability to fully support victims and accompany States parties towards the full implementation of their obligations under the convention.

3. The cooperation and support of civil society, in particular associations of relatives of disappeared persons, had been very valuable in helping the Committee on Enforced Disappearances to discharge its mandate effectively. Reiterating the importance of ensuring that human rights defenders could act freely, it strongly condemned all acts or threats against those who sought to cooperate or who had cooperated with the treaty bodies, in line with the San José guidelines against intimidation or reprisals. The Committee remained committed to the treaty body strengthening process and to complying with the objectives of General Assembly resolution 68/268 and was closely following discussions for the preparation of the 2020 review. Given the interconnections among all human rights, it welcomed the fact that the focus of the high-level political forum in 2019 would encompass the implementation of Sustainable Development Goal 16, which included an indicator on enforced disappearances.

4. **Mr. Elizondo** (Mexico), reiterated his country's commitment to collaborate with the Committee on Enforced Disappearances, noting that it was the first to participate in a follow-up dialogue on the implementation of its concluding observations and recommendations. Mexico had proposed a working plan to address urgent action requests efficiently. His country had strengthened its legal and institutional framework in line with the highest international investigative standards relating to searches for disappeared persons and was currently working to implement its newly adopted legislation and to improve coordination between federal and local authorities in order to meet the challenges involved.

5. **Mr. García Moritán** (Argentina), speaking also on behalf of France, said that the Convention on Enforced Disappearance formed part of an increasingly sophisticated legal framework that reflected greater awareness by the international community of the importance of such multilateral protection instruments.

In line with the request by the Office of the United Nations High Commissioner for Human Rights (OHCHR) for greater international mobilization on the issue, France and Argentina had launched an awareness campaign, in April 2018, to encourage all States to ratify the Convention and welcomed the recent decision by the Gambia to join. They also welcomed the decision of the Committee on Enforced Disappearances to establish a working group to prepare guidelines on the obligation to search for and locate disappeared persons. Information on how States parties would work with the new directives would be appreciated.

6. **Ms. Suzuki** (Japan), welcoming the increase in States parties and signatories to the Convention on Enforced Disappearance, said that enforced disappearances, which were a grave violation of human rights and human dignity, were still being reported worldwide and must be tackled as a universal issue. Doing so required adherence by all States to the Convention. Committed to continuing its active role in outreach activities and to strengthening its cooperation with the Committee on Enforced Disappearances, Japan had submitted its initial report to the Committee and looked forward to having a constructive dialogue as part of the review process.

7. **Mr. Forax** (Observer for the European Union), welcoming the recent ratification of the Convention on Enforced Disappearance by Benin and the Gambia and its signature by the Dominican Republic, said that efforts to increase the number of States parties must continue and must be shared among States and international and non-governmental organizations. The European Union encouraged the Committee on Enforced Disappearances to continue its work on transitional justice, in collaboration with OHCHR. He asked how the Committee planned to strengthen dialogue with States parties, in particular in its follow-up on national reports, and what collective strategy could be adopted, in particular by national human rights institutions, to increase ratification by States not yet parties to the Convention. He also requested further details on the creation of the working group on the obligation to search for and locate disappeared persons.

8. **Mr. Lafta** (Iraq) said that his delegation noted that paragraphs 39 and 40 of the report of the Committee on Enforced Disappearances (A/73/56) did not include the response of the Iraqi representative in Geneva describing the obstacles faced by Iraqi security institutions when carrying out search and investigation efforts. The Government sent information on preliminary investigations to the Committee on Enforced Disappearances in real time, during ongoing investigations, and, therefore, the Committee should not consider any response or lack of response to be final. The report also neglected to mention the cases that had recently been solved in coordination with the Committee on Enforced Disappearances.

9. Security agencies were sometimes unable to summon the relatives of allegedly disappeared persons or their lawyers to the Iraqi Human Rights Department for questioning because they had fled areas threatened by Islamic State in Iraq and the Levant (ISIL) without leaving a forwarding address or because the address provided by the Committee on Enforced Disappearances was incorrect. The Committee on Enforced Disappearances must contact the Iraqi representative in Geneva to arrange meetings between the missing individual's representatives and the Inspector General, and those representatives should appear for questioning before undertaking any travel. Iraq was also surprised by the claim in the report, apropos of a certain case, that Iraq had violated the Convention, as the situation in question had arisen through the failure of the Committee on Enforced Disappearances to coordinate with Iraq in advance. Furthermore, the Iraqi delegation condemned the use of the expression "re-victimized the victims" in paragraph 39 and urged the Committee on Enforced Disappearances to employ more measured language.

10. Certain cases mentioned in the report in fact concerned ISIL fighters who had been killed in battle, and requests for investigations were attempts to circumvent legal accountability or distort the image of Iraqi security agencies. The Committee on Enforced Disappearances must take care to seek credible information only, from trustworthy sources. The Iraqi Government called on the Special Rapporteur to visit Iraq so that she could examine its mechanisms in detail and meet the relevant officials, thereby enhancing cooperation and coordination.

11. **Ms. Janina** (Chair of the Committee on Enforced Disappearances) said that increased ratification of the Convention on Enforced Disappearance would make it easier to address the issue more globally. Achieving the goal of the United Nations High Commissioner for Human Rights to double ratifications by 2022 required collective action by all stakeholders. Such action could begin at the regional level, such as by identifying the concerns and obstacles preventing ratification by some European Union member States that were signatories. The Committee worked with all stakeholders, including through dialogue with civil society actors and national institutions, to identify ways to galvanize ratification. Sharing good practices could be an option to consider.

12. Some Member States erroneously believed that enforced disappearance no longer occurred or was a

strictly regional issue. Because the Convention had a preventive effect, it was important for States parties to promote the Convention to other Member States as an effective instrument for combating such occurrences. The Committee was eager to continue its work with all stakeholders to raise global awareness of the Convention and to identify further ways to universalize ratification in the short term.

13. The obligation to search for and locate victims of enforced disappearance was a permanent duty for all States parties to the Convention. Moreover, families had a right to ask State parties to search for loved ones who had disappeared. In seven years of dialogues with States parties and reviews of urgent actions, however, no uniform practices had been observed. The initiative to create a working group on the matter was aimed at identifying and standardizing best practices that could be useful to all States. Principles and practical guidance for States in conducting such searches were currently under analysis by the Committee and would cover methods for cooperation with States through the Committee mechanism, as well as through direct dialogue with representatives in Geneva and consultations with experts in the field, in an effort to provide States with the best ways to search for and locate disappeared persons so they could fulfil their obligations under the Convention.

14. The Committee appreciated the readiness of Mexico to embark on a new phase of collaboration through its first follow-up dialogue aimed at addressing issues involved in enforced disappearance. It was hoped that the positive steps taken, including new legislation and new procedures with regard to urgent action, would be bolstered by such improved dialogue. Other States parties were expected to follow suit, thereby strengthening the Committee's ability to provide assistance to States in fulfilling their obligations under the Convention. Such follow-up exchanges were not meant to overcome gaps in Committee competency but rather fell under article 29 of the Convention, whereby the Committee, given the legal boundaries of the Convention, could ask for additional information to carry out its aim.

15. The Committee appreciated the commitment expressed by Iraq with regard to its cooperation on urgent cases. As a person's life was at stake, speed was of the essence in reacting to such cases. States must coordinate with local and central authorities to find an effective way to cooperate with families of victims to collect any relevant data they may have on the last known appearance of a loved one so as to achieve the ultimate goal of discovering the fate of the disappeared person.

16. Encouraged by the cooperation of Member States, which was crucial, and their interest in the Committee's operating methods, the Committee remained ready to extend its facilities and expertise to assist States parties in establishing internal procedures and legislation so as to reduce the occurrence of the crime worldwide and to assist victims and their families.

17. **Mr. Duhaime** (Chair of the Working Group on Enforced or Involuntary Disappearances) said that, during the reporting period, the Working Group had continued to engage with Member States through country visits and communications procedures, including through the transmission of individual cases. Unfortunately, the number of new cases transmitted continued to be unacceptably high, and many other cases that might never reach the Working Group still deserved to be thoroughly documented and investigated. The fact that many States continued to resort to the heinous crime of enforced disappearance, including so-called short-term disappearances used to gather evidence through duress and coercion to finalize investigations during counter-terrorism operations, was an appalling offence to human dignity. Also worrisome was the extraterritorial abduction of individuals in a foreign country through undercover operations, with or without the acquiescence of the host State. While in most cases victims reappeared in detention in their home countries shortly thereafter, in other cases they remained disappeared, as in the case of Saudi journalist Jamal Khashoggi, which, while exceptional in its modalities, was only one among thousands of such cases.

18. On the International Day of the Victims of Enforced Disappearances, the Working Group had called on States to act urgently in cases of enforced disappearances, to carry out diligent and effective searches and investigations in good faith, as obligations under the Declaration on the Protection of All Persons from Enforced Disappearance and the Convention on Enforced Disappearance. An interim report on standards and public policies for an effective investigation of enforced disappearances had been presented to the Human Rights Council, outlining the main elements of the issue. While existing international standards provided some guidance for establishing a solid legal framework in such investigations, further study was required to determine how States should implement their obligation and to assess which rights and State obligations arose from the duty to investigate. All stakeholders, including States, families of the disappeared, civil society and United Nations mechanisms and agencies, were invited to provide relevant input on good practices and negative experiences.

19. Country visits were vital to a proper assessment of the prevalence of enforced disappearances globally and to the formulation of recommendations. In addition to their focus on challenges and shortcomings, such visits served to highlight country practices and to assist States in reducing obstacles to the implementation of the Declaration. They were a starting point in a continuous process, in which the ensuing recommendations could provide guidance to both Governments and civil society. All States that had received a request for a visit were invited to respond favourably. During the visit to the Gambia, the Government had shown good momentum for shedding light on past human rights violations, including enforced disappearances, having formally accepted all the recommendations of the Working Group and, more recently, ratified the Convention. The Working Group stood ready to provide further expertise in the crucial transitional justice process to guarantee, in practice, the right to truth, justice and reparation for victims.

20. During the reporting period, the Working Group had presented its observations and recommendations to the Human Rights Council on its visit to Ukraine and was currently finalizing its report. The Working Group had also submitted its follow-up report regarding visits to the western Balkans and reiterated its willingness to accompany Governments and authorities in the region and to assist families in their struggle for truth, justice and reparation. The Working Group also looked forward to working with the Government of Mali and all concerned stakeholders, especially human rights defenders and the relatives of disappeared persons, during its upcoming visit to that country.

21. Families of the disappeared and non-governmental organizations were sometimes the only voices in their countries calling for truth, justice and reparation for the victims and highlighting the plight of victims both nationally and internationally, including through cooperation with the Working Group, even in the face of frequent threats, intimidation and reprisals. States must take measures to prevent such acts and to protect those working to address the issue. The Working Group was grateful for the continuous support provided by donor States.

22. **Ms. Whitehead** (United States of America) said that her country remained concerned about enforced disappearances in the Crimean peninsula, the Syrian Arab Republic, Nicaragua, Iran, Burundi, Mexico and China; it urged the Governments of those States to provide information on individuals detained, release those arbitrarily and unjustly imprisoned and investigate and resolve disappearances. Congratulating Mexico on the passage of its law on disappearances in 2017, she asked what steps could be taken to increase pressure on Governments to investigate reports of enforced disappearances and how non-governmental organizations could most effectively ensure that Governments conducted full and transparent investigations and held those responsible to account.

23. **Mr. Forax** (Observer for the European Union) said that the large number of new cases of enforced disappearance, the increasing number of States involved and the numerous urgent action requests for so-called short-term disappearances were cause for great concern. The European Union therefore supported the call by the Working Group for a consultative role in the follow-up on conclusions formulated by commissions of inquiry and other investigative bodies created by the Human Rights Council in cases involving enforced disappearances. He would welcome information on the kind of dialogue used to encourage States to accept country visits by the Working Group. He wondered whether any connection had been identified between the issue of reprisals against those who collaborated with the Working Group and the failure of those involved to report cases of enforced disappearance.

24. **Ms. Chekrizova** (Russian Federation) said that her country always paid close attention to requests by the Working Group on Enforced or Involuntary Disappearances and responded in accordance with Russian law and the provisions of the Declaration on the Protection of All Persons from Enforced Disappearance. Although Russian law enforcement agencies took all necessary measures to ascertain the fate of victims, that was very difficult if the alleged incidents had occurred decades earlier.

25. Recently the Working Group had often sent requests that lacked essential information about the alleged events or persons whose rights had been violated, such as only the victim's initials. Since there could be dozens of people with those initials in a single village, let alone the entire country, Government agencies had been unable to carry out substantive work on the requests. By sending such vague requests, the Working Group gave the impression that its aim was not to establish the truth but to signal in advance the presumption of guilt of alleged offenders. The Russian delegation had informed the Working Group time and again of the ineffectiveness of that method, which also contravened the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council. Her delegation repeated its suggestion to improve the effectiveness of the Working Group by amending the Human Rights Council resolution defining its actions and working methods.

26. She advised the delegations of certain Western countries that had made unfounded statements about the Russian Federation to base their opinions about the situation in Russian territories on objective facts and direct contact with local inhabitants.

27. **Mr. Yaremenko** (Ukraine) said that his country reaffirmed its support for and commitment to international legislation and was ready to provide further cooperation and assistance to the mandate holder following his recent visit. Ukraine called upon the relevant bodies to pay close attention to the ongoing issue of enforced disappearances in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol when preparing their reports.

28. **Mr. Aldahhak** (Syrian Arab Republic) said that the representative of the United States had expressed concern regarding alleged enforced disappearances while at the same time ignoring her country's killing of civilians in Syria and other countries around the world on the pretext of promoting democracy, preventing the spread of weapons of mass destruction and fighting terrorism. She had also neglected to mention her country's collective punishment of Syria and its detention of civilians in secret transnational prisons. She also failed to mention the alleged disappearance of Jamal Khashoggi, given that the United States Government was currently studying the details of a deal it would enter into with the regime that was responsible for his disappearance and the funds that it would obtain to cover up the matter. His delegation would always reject such hypocrisy and double standards.

29. **Mr. Lu** Yuhui (China) said that his country was governed by the rule of law and strongly opposed enforced disappearances, which were an extreme action that violated human rights. It was clearly stipulated in the Constitution and laws of China that citizens had the right to personal liberty, and no organization, department or individual could unlawfully deprive a person of that right.

30. His delegation attached great importance to the human rights special procedures in their role in promoting and protecting human rights through constructive exchanges and cooperation and made timely and targeted responses to communications received from special procedures mandate-holders. When processing the relevant documentation, they should use true and reliable information and engage in constructive dialogue and cooperation with Governments, fully respect the materials supplied by the State concerned, and respect the judicial sovereignty of countries, and, under the guise of safeguarding human rights, refrain from interfering in the internal affairs of States or fail to call criminal offenders what they were.

31. His delegation firmly objected to the reckless commentary made by the Working Group regarding the lawful processing of criminals and suspects by the judicial authorities of China. Such irresponsible declarations constituted serious interference in the judicial sovereignty and internal affairs of China, trampled on the spirit of the rule of law, and violated the mandate of the relevant special procedures.

32. His delegation urged the Working Group to carry out its work in strict accordance with the purposes and principles of the Charter of the United Nations as well as the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council, strictly adhere to the mandate of the Working Group, work objectively and fairly and distinguish right from wrong, and not to be misled by the ulterior motives of others.

33. Over the previous several years, the three forces of terrorism, separatism and extremism had organized and carried out violent terrorist acts, wantonly trampling over the basic human rights of various groups to life, health and development. The Chinese Government had drawn on the experiences of the international community in combating terrorism and extremism and, in exploring practical measures to fight those evils, adhered to a policy emphasizing prevention.

34. In dealing with those suspected of minor criminal offences, the Government acted in accordance with the criminal code, criminal procedure law, counter-terrorism laws and other relevant laws. An emphasis was placed on rehabilitation and redemption, and suspects received training in language and literacy skills, legal knowledge and professional skills at institutions of vocational education. Thus, the issues were addressed at the root and a strong line of defence against terrorism and extremism was built, ensuring to the greatest possible extent that the basic rights of citizens were not undermined by those forces.

35. Xinjiang was now generally stable, the situation was under control and improving, and no violent terrorist incidents had occurred over the previous 21 months. Public safety had improved significantly, religious extremism was effectively contained, and people were feeling more secure. Other delegations should refrain from making groundless accusations against China.

36. **Ms. Ershadi** (Islamic Republic of Iran) said that her delegation was concerned about the lack of progress in investigating secret Central Intelligence Agency prisons and rendition programmes. Iran appealed to the

international community to seek clarification on the fates of dozens of people who had disappeared under those illegal programmes run by the regime in Washington. Apparently, the hypocrisy of the United States did not recognize borders.

37. **Mr. Duhaime** (Chair of the Working Group on Enforced or Involuntary Disappearances) said that the families of the disappeared and members of civil society organizations often faced threats. While the contributions of those individuals were vital, it was important to note that States were obliged to investigate disappearances, even in the absence of a complaint. The next thematic report of the Working Group would contain a detailed analysis of investigation procedures and policies and would elaborate on the obligations contained in article 13 of the Declaration on the Protection of All Persons from Enforced Disappearance. The Working Group would also provide specific recommendations on how a State should structure an investigative team and how the teams should incorporate the work of specialized experts.

38. As for how States could be urged to take action on enforced disappearances and to accept Working Group requests for country visits, he said that the Working Group did not intend to criticize States; it only wished to help them implement the Declaration. Country visits were important because they allowed the members of the Working Group to speak directly with State authorities, the families of the disappeared and other stakeholders. Moreover, visits facilitated constructive dialogue with the authorities on measures, including legislation, to eradicate the phenomenon. A recent Working Group visit to the Gambia had been followed by the country's ratification of the Convention.

39. The Working Group was glad to hear that its views on the need for follow-up on the conclusions and recommendations of the international commissions of inquiry had been noted. It stood ready to offer assistance to families through the process of follow-up on documented cases. The Working Group carried out its humanitarian mandate of helping families to establish channels of communication with States with a view to establishing the whereabouts or fates of the disappeared. In situations where obtaining the necessary information on a missing individual was difficult, States were obliged to conduct investigations impartially, thoroughly and quickly, even if no complaint had been filed.

40. **Ms. Jimenez-Damary** (Special Rapporteur on the human rights of internally displaced persons), introducing her report (A/73/173), said that the report focused on transitional justice, which referred to the approach of countries emerging from conflict and repression to addressing systematic or widespread human rights violations beyond the scope of the normal justice system, as it related to internal displacement.

41. During a January 2018 visit to Libya she had been encouraged by the political will to protect and assist internally displaced persons shown by the Government, demonstrated by the establishment of a Ministry of State for Displaced Persons' Affairs. The Government had, however, failed to settle on a coherent approach to implementing comprehensive and effective responses, a gap which could be addressed through the development of a legal and policy road map based on the Guiding Principles on Internal Displacement. Non-State armed groups and de facto authorities were also obliged under international law to protect civilians, including internally displaced persons, in the territories under their control. Increasing numbers of internally displaced persons in Libya had been forced to leave the country, mainly for Europe.

42. In March, she had visited Niger, where a humanitarian and displacement crisis was growing in the areas bordering Mali and Nigeria. Currently, there were some 42,000 internally displaced persons in the Tillabéri and Tahoua regions, a significant increase since the March visit. The Government's recent efforts to develop a community-based approach to integrating internally displaced persons in Ayorou and Banibangou was welcome but should be strengthened. The authorities in Niger had demonstrated a commitment to developing a law on internally displaced persons that was in line with the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa. In August, she had visited Chihuahua, Mexico, where she had participated in an international forum to mark the twentieth anniversary of the Guiding Principles on Internal Displacement.

43. **Ms. Melfald** (Norway) said that her delegation welcomed the call to participate in the planning and design of transitional justice processes. Norway also appreciated the call for greater attention to issues of sexual and gender-based violence. For a process of transitional justice to be successful, there needed to be a focus not only on restitution, but also on development. She asked how development agencies could meaningfully engage in transitional justice processes.

44. **Mr. McCulley** (United States of America) said that his country was a champion of the rights of internally displaced persons. It would continue to use its humanitarian assistance to improve the lives of those trapped by conflict or forced to move because of natural disasters. The United States was concerned about

internally displaced persons in Burma and Syria. In Burma, more than 100,000 internally displaced persons would face another winter with limited access to humanitarian aid and continued targeting by the Tatmadaw. In Idlib province in Syria, millions of internally displaced persons faced an uncertain future as regime forces pressed the enclave.

45. In light of the upcoming 2019 report by the United Nations Children's Fund on the rights of internally displaced children, he asked the Special Rapporteur to elaborate on the issues that should be highlighted by that document. What were the specific needs of displaced children, and what could the international community do to serve them?

46. **M. Forax** (Observer for the European Union) said that while Sustainable Development Goal 16 included targets to ensure equal access to justice for all, internally displaced persons were often barred from seeking justice. Transitional justice was often the only way forward for communities after a period of internal displacement. He asked for further elaboration on best practices in ensuring the meaningful participation of internally displaced persons in transitional justice initiatives.

47. The European Union commended the multi-stakeholder Plan of Action for Advancing Prevention, Protection and Solutions for Internally Displaced Persons 2018–2020 and was interested to hear more about the role that could be played by regional organizations in its implementation. Lastly, the issue of internally displaced persons had not received adequate attention at United Nations Headquarters; he wondered how that oversight could be addressed.

48. **Ms. Elmarmuri** (Libya) said that her delegation welcomed the recent visit of the Special Rapporteur to Libya and had taken note of her recommendations. Despite the country's political crisis and ongoing instability, it had worked to address the issue of refugees and internally displaced persons, Libyans and others, who had been forced to leave their homes since 2011. To that end, the Government had created a special ministry for internally displaced persons. In addition, the Libyan Presidential Council had issued a decree establishing a committee to facilitate the return of more than 3,000 internally displaced families to their homes. The Government had also asked all local councils to relay data on damage to personal property owned by internally displaced persons living in their jurisdictions. A recent reconciliation agreement between the cities of Misrata and Tawargha affirmed the right of safe and voluntary return of Tawarghans to their homes.

49. **Ms. Frechin** (Switzerland) said that her country supported the cause of internally displaced persons and played a leading role in the prevention of atrocities. In addition, it had incorporated the issue of transitional justice in its multilateral and bilateral work. Internally displaced persons had often lost their livelihoods and the protection of their communities and were subject to various forms of violence and attacks on their human rights. The States responsible for the development of transitional justice processes often could not or did not want to take account of the internally displaced. Noting that the report had listed some good practices for addressing the issue of internally displaced persons, she asked how those practices could be shared more widely and whether particular platforms could be useful in that regard. Were any specific activities to disseminate good practices planned?

50. **Ms. Nassrullah** (Iraq) said that her Government had issued directives guaranteeing basic services in the regions liberated from ISIL. The directives instructed municipal councils to launch programmes to encourage the voluntary return of the displaced to their towns. More than 50 per cent of internally displaced persons had returned to their cities and villages, where Government agencies provided them with assistance, compensated them for property damage and distributed emergency food aid. Security institutions protected the liberated areas to ensure a safe environment for humanitarian workers cooperating with United Nations agencies and other international organizations. Sincere cooperation would be needed to avert the threat of terrorism and extremism in the future. In recognition of the crucial role played by Iraqi women in the restoration of stability and social cohesion in the liberated areas, the Government had launched a national plan to implement Security Council resolution 1325 (2000) on women and peace and security.

51. Iraq had provided internally displaced persons with financial and other forms of support, issued them with identity documents and paid the salaries of internally displaced employees. In addition, it had developed plans to absorb internally displaced students into local schools and universities. The Government's joint coordination and monitoring centre and the International Organization for Migration (IOM) had officially opened two community resource centres in Mosul and one in Fallujah and planned to establish centres in other governorates to provide basic services, liaison between citizens and executive authorities and information to returnees to the liberated areas.

52. **Mr. Rutkowski** (Austria) said that his country supported the Plan of Action and welcomed transitional justice initiatives. He asked to hear more on the role that

could be played by Member States in New York in implementing the Plan of Action, and on the link between transitional justice and durable solutions to the problem of displacement. His delegation agreed that internally displaced persons should be involved in decisions that affected them, and was interested to hear more on how such participation could be ensured at all stages of the transitional justice process.

53. **Ms. Kipiani** (Georgia) said that since the early 1990s, several waves of ethnic cleansing in the Georgian regions of Abkhazia and Tskhinvali had resulted in a situation in which 400,000 people were denied the right of return to their places of origin. To address the challenges emanating from that displacement, the Government had implemented national programmes and action plans and promoted social integration. The rights of internally displaced persons in Georgia were protected by law, including the right to adequate housing and protection from unlawful evictions. Almost 40,000 families had received durable housing assistance from the Government.

54. Despite numerous calls from the international community, the fundamental right of internally displaced persons and refugees to return to their places of origin was ignored by the Russian Federation, which exercised effective control over the Georgian occupied territories. The issue of displacement was a core agenda item of the Geneva international discussions, but the Russian Federation and its occupation regimes continued to deliberately disrupt the process through blackmail and walk-outs.

55. **Mr. Mikayilli** (Azerbaijan) said that his delegation supported global attention to the issue of internally displaced persons and the Special Rapporteur's important role in mainstreaming their human rights within the United Nations system. Despite its global scale, the issue of internally displaced persons did not receive enough attention from the international community. In her recent report to the Human Rights Council, the Special Rapporteur urged the international community to prioritize the issue. She also called on States to examine the causes of the dramatic increase in the number of internally displaced persons and to do more to prevent them, using diplomatic means to resolve conflicts. His delegation agreed that it was important for affected countries to include the issue of internal displacement in their plans to implement the Sustainable Development Goals.

56. **Ms. Chekrizova** (Russian Federation) said that mitigation of negative effects on internally displaced persons had become a prominent issue in recent years because internal displacement had intensified as a result of endless conflicts all over the world. Her delegation agreed with the Special Rapporteur's assessment of the importance of transitional justice, which could in the short term restore justice and alleviate the suffering of those compelled to leave their homes. Transitional justice could only really be effective, however, as part of a broader universal response to the root causes of internal displacement. First and foremost, it was important to find a political settlement to the conflicts in the States in question, promote their social and economic recovery, coordinate political, socioeconomic and humanitarian efforts, guarantee the safety of the population and protect citizens' human rights. Without coordinated efforts in those areas, any measures, including in relation to transitional justice, would be transient and ineffective.

57. Activities by international humanitarian agencies were vital to any response to the issue of internally displaced persons. It was crucial, however, that international bodies received consent from relevant States, worked in a neutral, independent, impartial and humane way and did not violate a country's national sovereignty.

58. In reply to the delegation of Georgia, she said that Abkhazia and South Ossetia were independent republics over which Russia exerted no effective control. Georgia could certainly improve the human rights situation by speaking directly with authorities of those sovereign States with a view to defusing the tension, rebuilding trust and bringing about constructive cooperation.

59. **Mr. Aldahhak** (Syrian Arab Republic) said that his country had strived to provide internally displaced persons with assistance and to rebuild what had been destroyed by terrorists. Internally displaced persons had managed to return to their homes in dignity and security, and the significant efforts made in that regard by the Syrian High Relief Committee and the coordination centre for the repatriation of Syrian refugees, in cooperation with friendly countries and United Nations organizations, should be recognized.

60. States must respect the principle of sovereignty and avoid politicization of humanitarian and development work. Furthermore, State supporters of terrorism must cease their violations of international law. While certain delegates had described their countries as champions of the internally displaced, the Syrian delegation believed that true champions respected international law and the Charter of the United Nations and sought to prevent, not fuel, conflicts.

61. **Ms. Stepanyan** (Armenia) said that her country, which had experienced large-scale displacement, strongly believed that the responsibility for assisting

refugees and internally displaced persons rested with the national authorities. Since the early 1990s, Armenia had implemented integration policies and a special housing action plan for internally displaced persons. It had also provided them with increased access to social and health services, education and employment. Armenia had not built camps and collective centres for its affected populations, but rather directed its efforts and resources at sustainable solutions and the full social integration of internally displaced persons and refugees.

62. Armenia had never politicized the issue of displacement at the expense of human rights and dignity. Internally displaced persons from all conflict-affected areas should receive the same treatment and should have the same access to international mechanisms. International organizations, including all United Nations agencies and [rapporteurs] special procedures, should have unhindered access to affected populations, regardless of the legal status of territories. Accordingly, any attempts to place limits and conditions on international agencies in that regard should be strongly rejected.

63. **Ms. Jimenez-Damary** (Special Rapporteur on the human rights of internally displaced persons) said that preventing internal displacement, protecting internally displaced persons and finding solutions to the problem were the responsibility of the State concerned. Internal displacement was not only a humanitarian issue but also a development and justice issue. It was important for development agencies to be involved in the entire transitional justice process. It was no accident that the United Nations Development Programme incorporated transitional justice in its work, and, as one of the delegates had pointed out, Sustainable Development Goal 16 included transitional justice in its remit.

64. The current moment was ripe for constructive engagement on the issue of internally displaced children. In 2019, she would take advantage of the special focus on the issue occasioned by the thirtieth anniversary of the Convention of the Rights of the Child to present a report to the General Assembly on the rights of internally displaced children. Multi-stakeholder collaboration on the issue was important, and the specific vulnerabilities and rights of displaced children needed to be recognized.

65. Her report highlighted the cross-cutting issue of participation by internally displaced persons, which was one of the four priorities for change contained in the Plan of Action. Stringent standards should be used when assessing the participation of internally displaced persons in all relevant policies and programmes. Judgments in criminal cases increasingly held violators accountable when it came to forced displacement. The previous day, a court in one State had issued a historic ruling stating that forced displacement was a crime against humanity and a war crime.

66. The delegation of the European Union had pointed out that the issue of internal displacement had not received due attention at United Nations Headquarters; indeed, internally displaced persons had not been visible as participants at events. In June, in Geneva, she had facilitated the participation of internally displaced persons in Human Rights Council events and hoped that similar engagement could take place in New York. It was important to hear the voices of internally displaced persons themselves because although they were vulnerable, they also enjoyed political agency and could impart valuable lessons.

67. As for platforms that could be used to help disseminate the report, a series of public events had just been launched to spread awareness of the report, and she encouraged States to take part in sharing the report. States were also encouraged to integrate transitional justice into their policies and operational responses, as it would be effective only as part of a comprehensive approach to internal displacement that incorporated peacebuilding and reconciliation initiatives. She supported the initiative to convene a high-level panel in New York and recommended that it incorporate the good practices that had been developed under the auspices of the Plan of Action.

68. States, international agencies and regional organizations must cooperate to address and prevent internal displacement and protect displaced populations. International, regional and national organizations must be allowed access to internally displaced populations so that they could offer solidarity to victims of human rights abuses, and to give internally displaced persons a voice in decisions that affected them. She encouraged Member States to respond positively to her requests for country visits.

The meeting rose at 12.15 p.m.